

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
CENTRAL ZONAL BENCH AT BHOPAL
EXECUTION APPLICATION No. 02/2022

IN

O.A. NO. 23/2021

IN THE MATTER OF:

APPLICANT:

Swami Narhariyanand Sarovar

//VERSUS//

RESPONDENTS:

State of MP. & Ors.

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SUBMITTED BY;


RESPONDENT NO. 3

THROUGH;


(SACHIN K. VERMA ADV)

Place: BHOPAL

Date: 12/10/2023

COUNSEL FOR RESPONDENT NO. 3

①

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**COMPLIANCE CUM ACTION TAKEN REPORT OF ORDER DATED
09/08/2023**

The answering respondent no. 3 most respectfully submits as follows:-

1. The Hon'ble Tribunal vide its order dated 12/10/2023 directed the respondent to comply with the directions passed in OA No. 23/2021.
2. As highlighted in the joint report there were encroachment in the subjective water body thus all the illegal encroachments on the subjective water body are duly removed by the respondent no. 3 and in pursuance of the relief claimed by the applicant the blocked route is now reopened for circumambulation/parikrama. The copy of the report dated 11/10/2023 along with the pictures depicting the removal of the encroachments are collectively marked and filed herewith as **ANNEXURE R-3/4**
3. As per the direction of Hon'ble Tribunal the fountains are installed for the purpose of purification and also to increase the level of dissolved oxygen in the water in the subjective water body. The pictures depicting the installation of fountain are collectively marked and filed herewith as **ANNEXURE R-3/5**
4. The residential houses which were built on the subjective river body wherein the septic tanks are built were cleaned with the help of mud pump and now no sludge is going into the subjective water body.

- (2)
5. The two outlet drains whereby the domestic sewage was flowing and mixing into the pond are now diverted to another direction so that there is no possibility of untreated domestic sewage flowing directly towards the pond and the water is kept clean by spraying medicines in the diverted drains.
 6. It is most humbly submitted that the construction of Sewage Treatment Plant (In Short 'STP') having the capacity of 2.6 MLD in Nagar Parishad, Village and Tehsil Saikheda, District Narsinghpur (M.P.) is completed and made operational and no sewage is directly flowing into the ponds. The copy of the letter dated 12/10/2023 is marked and filed herewith as **ANNEXURE R-3/6**
 7. It is further pertinent to mention over here that in the present matter the MPPCB imposed the environmental compensation of Rs 258 Lakh on the respondent no. 3 and against the aforesaid order the respondent no. 3 has filed the writ petition before the Hon'ble High Court which got registered as WP No. 976/2023 and the Hon'ble High Court, Principal Bench at Jabalpur vide its order dated 05/10/2023 stayed the order of MPPCB pertaining to imposition of environmental compensation. The copy of the order dated 05/10/2023 is marked and filed herewith as **ANNEXURE R-3/7**
 8. In view of the judicial and factual matrix of the matter, the compliance report may kindly be taken on record.
 9. An affidavit in support is filed herewith.

SUBMITTED BY;

RESPONDENT NO. 3

THROUGH;

Place: BHOPAL

Date: 12/10/2023

(SACHIN K. VERMA ADV)

COUNSEL FOR RESPONDENT NO. 3

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AFFIDAVIT

I, Dr. Prasad Sahu, Aged about 55 years, S/o Late Shri Shivcharanv Sahu, posted as Chief Municipal Officer, O/o Nagar Parishad Sainkheda, Narsinghpur (M.P.), do hereby state on oath and solemnly affirm as under:-



That, I am Respondent No. 3 in the present matter and as such I am well conversant with the facts of the case and therefore, competent to swear this affidavit.

2. That the accompanying reply has been drafted as per my instructions and also explained to me.
3. That the contents of para 1 to end of accompanying reply are true to my knowledge based upon official records and the legal averments made therein are true on the legal advice received and believed to be true.


DEPONENT

VERIFICATION

I, above described deponent do hereby verify that the content of para 1 to 3 of the affidavit are true to my personal knowledge and belief.

Verified and signed on this _____ day of _____ 2023 at Bhopal (M.P)
श्री ~~Dr. Prasad Sahu~~ ^{आत्मज्ञ} ~~S/o Late Shivcharanv~~
निवासी ~~Sainkheda Narsinghpur (M.P)~~

आज दिनांक 12/10/2023 को मेरे समक्ष शपथ ग्रहण की।
श्री Harshita ने प्रमाण पत्र को पढ़ाया।

Tejwani Ad. राज्य कुमार विश्वकर्मा
अध्यक्ष, भोपाल
प्रमाणित किया जाता है कि शपथ पढ़ीस को मेरे समक्ष
शपथ-पत्र सुनाया, समझाया गया। उसने सही समझकर
हस्ताक्षर/अंगूठा मेरे समक्ष अंकित किया।


DEPONENT


IDENTIFIED BY ME

कार्यालय नगर परिषद साईखेडा जिला नरसिंहपुर

प्र0कमांक /1580 /न.प.साई. /2023

साईखेडा दिनांक:- 11 /10 /2023

प्रति,

माननीय राष्ट्रीय हरित प्राधिकरण (NGT)

केन्द्रीय शाखा, भोपाल

विषय:- नरहरियानंद तालाब साईखेडा के प्रकरण कमांक OA NO. 23/2021(CZ) के संबंध में।

—00—

उपरोक्त विषयांतर्गत उल्लेख हैं कि, नरहरियानंद तालाब साईखेडा के प्रकरण कमांक OA NO. 23/2021(CZ) के संबंध में जानकारी निम्नानुसार हैं :-

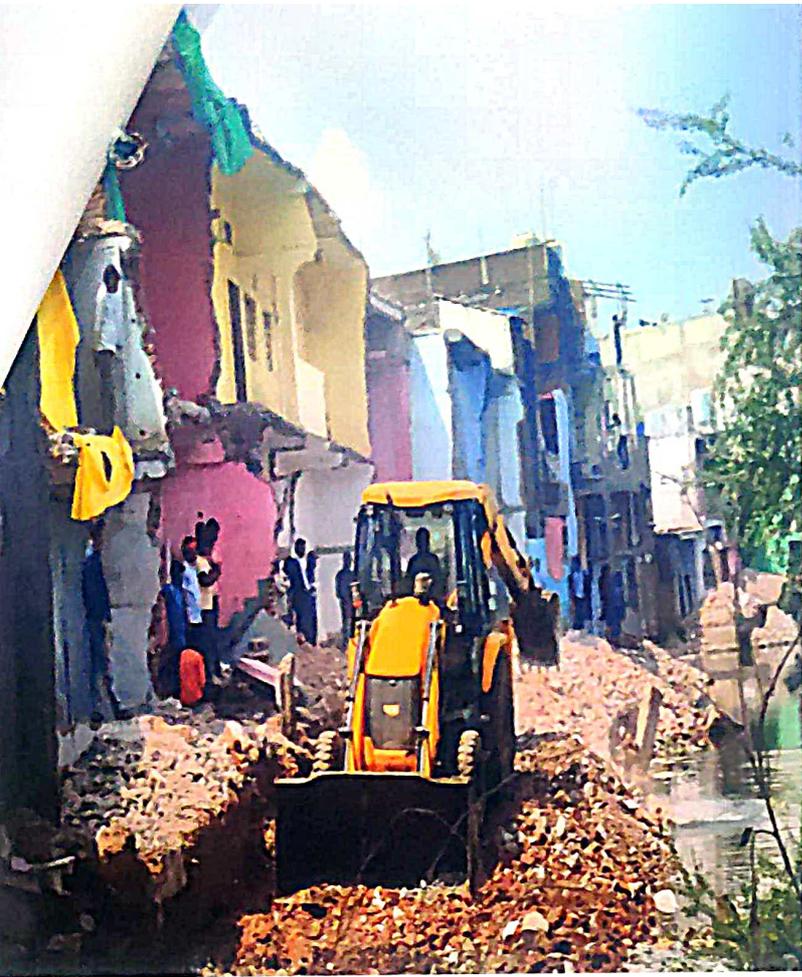
1. माननीय न्यायालय के आदेशानुसार चिन्हित किये गये अतिक्रमणों को हटाया गया एवं उसके उपरांत नरहरियानंद समिति की मांग अनुसार सरोवर की परिक्रमा हेतु अवरुद्ध मार्ग खोल दिया गया हैं।
2. माननीय न्यायालय के आदेशानुसार तालाब के पानी के शुद्धीकरण हेतु फाउंटेन लगाये गये।
3. आदेश के क्रम में तालाब की ओर बने रहवासी मकान जिनमें की तालाब से लगे हुये सेप्टिक टैंक बने हुये थे। उनको तोड़कर उन्हें मडपंप की सहायता से साफ कर टैंकों को समाप्त कर दिया गया हैं। किसी भी प्रकार का स्लज तालाब में नहीं जा रहा हैं।
4. तालाब की तरफ जाने वाली दो नालियां जो पूर्व में तालाब से मिलती थी उनकी दिशा बदलकर अन्यत्र कर दिया गया हैं। जिससे कि तालाब में इन नालियों के द्वारा जाने वाले गंदे पानी को रोक दिया गया हैं एवं इन डायवर्ड कर दी गई नालियों में दवा का छिड़काव कर पानी को साफ रखा जा रहा हैं।
5. निकाय क्षेत्र में स्थित सीवरेज ट्रीटमेंट प्लान्ट जिसका काम MPUDCL की निगरानी में किया जा रहा हैं। प्लान्ट चालू कर दिया गया हैं।

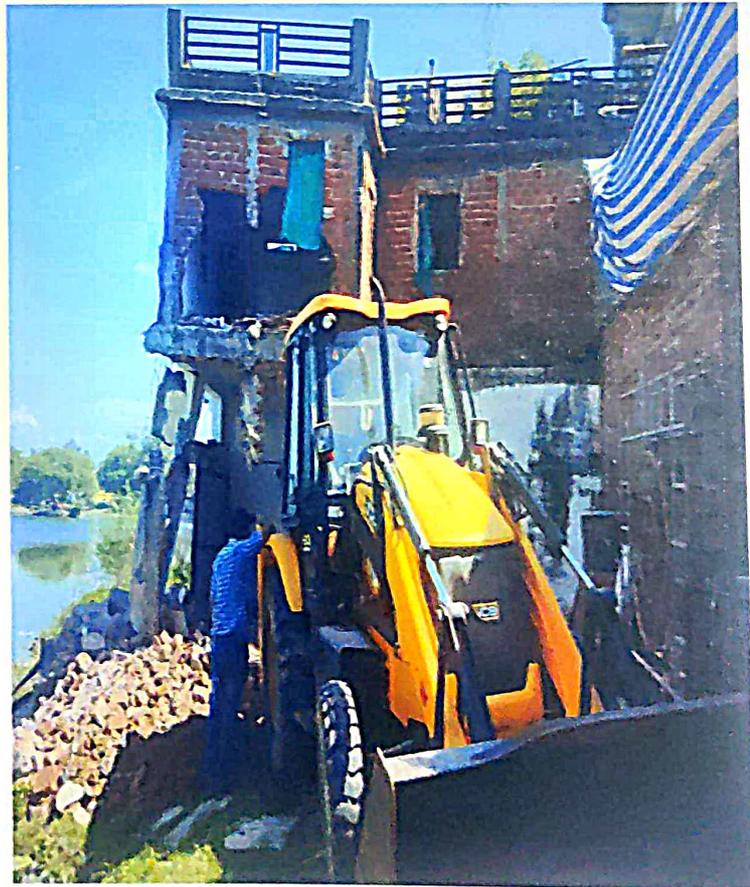
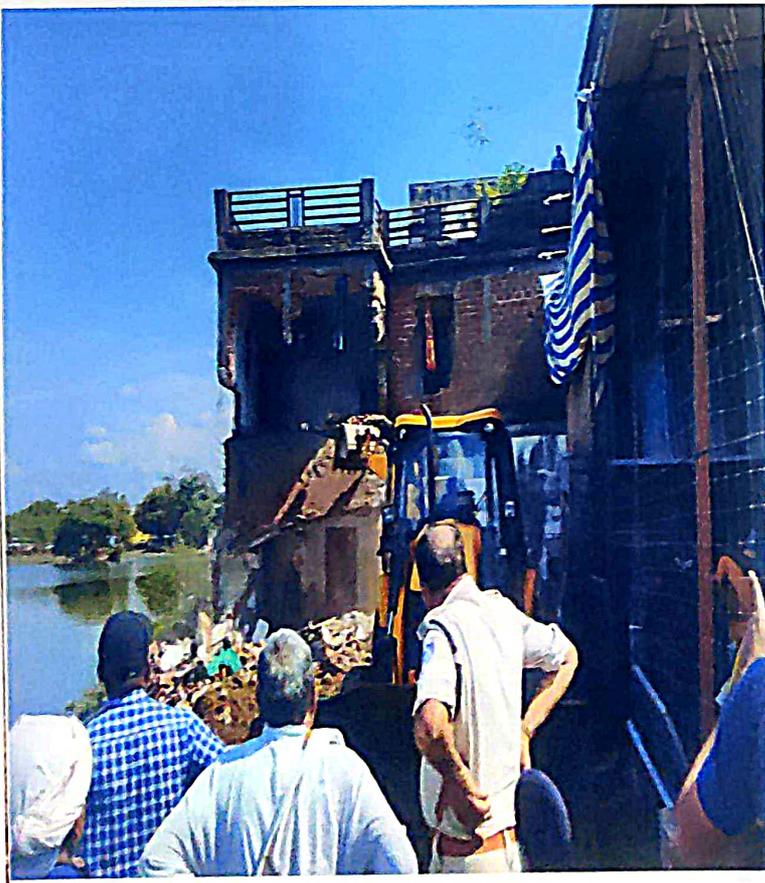
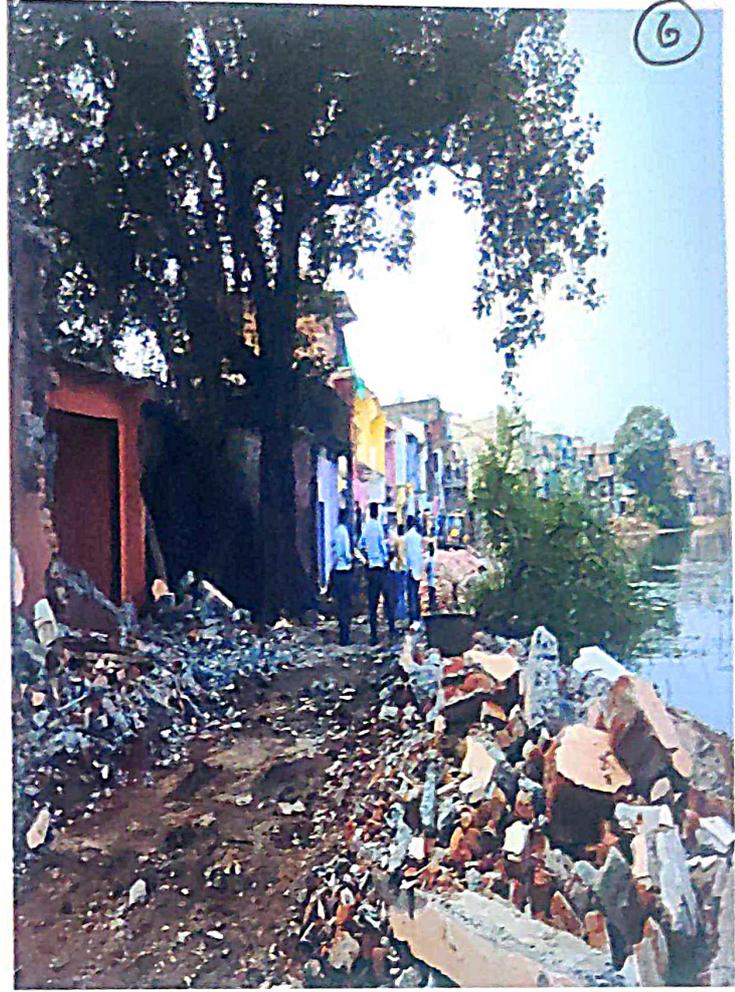
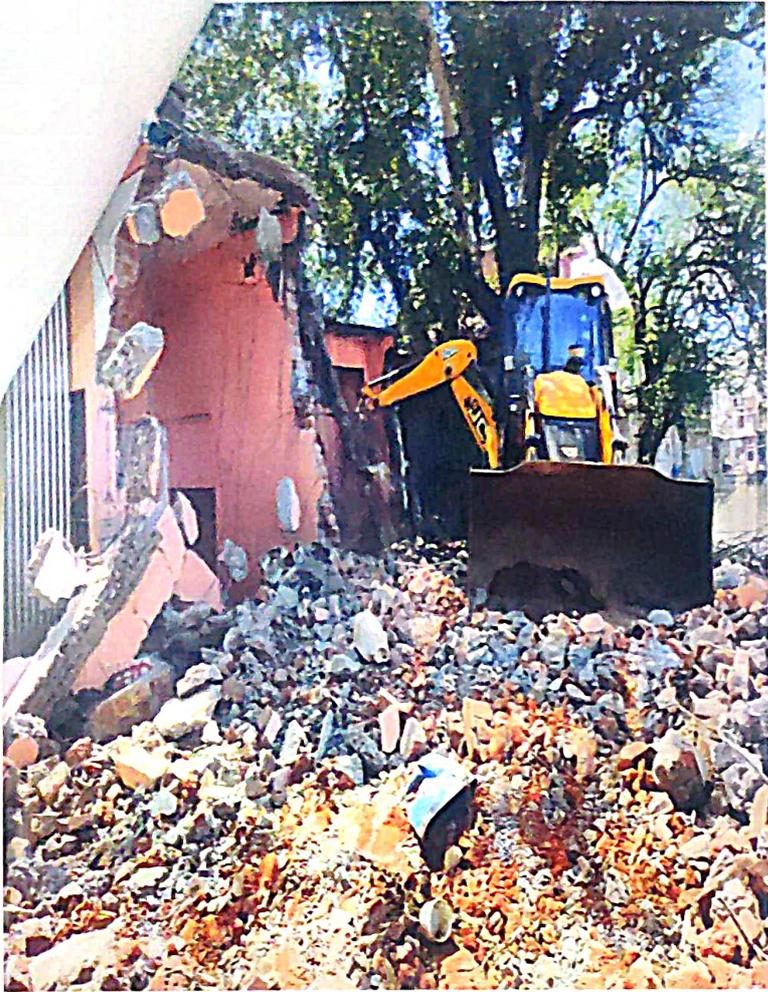
अतः उक्त आदेश के संबंध में जानकारी आपकी ओर सादर सम्प्रेषित हैं।

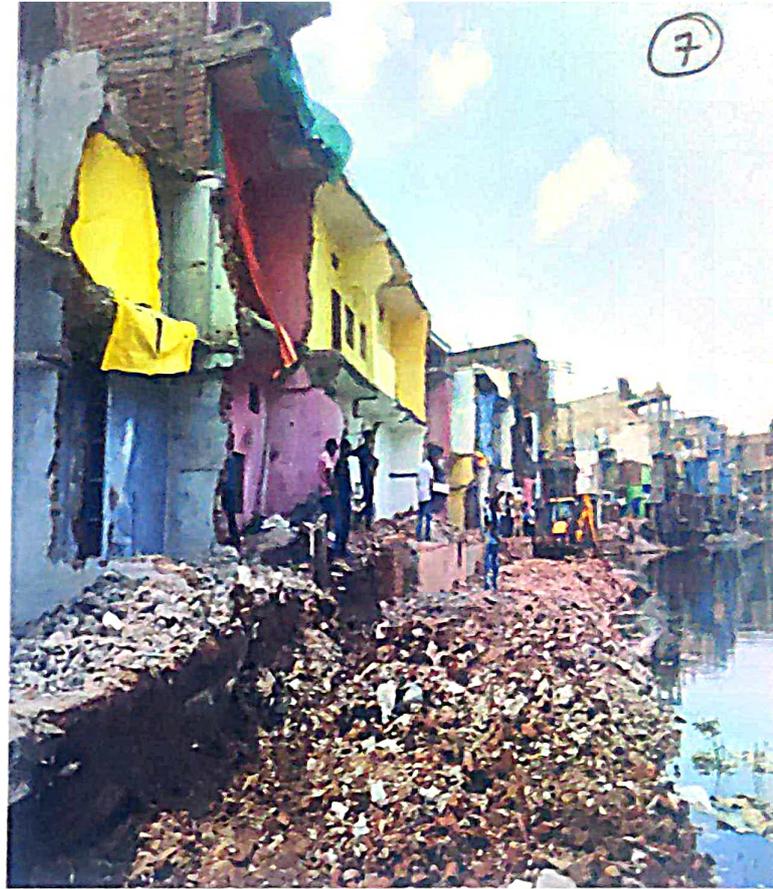
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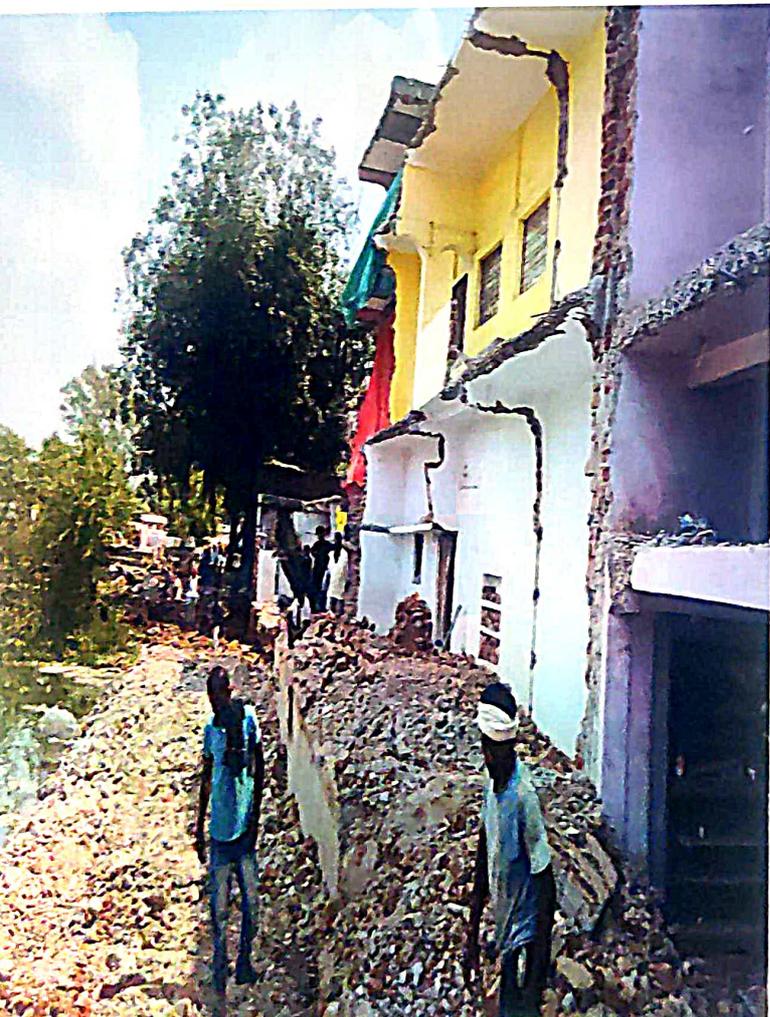
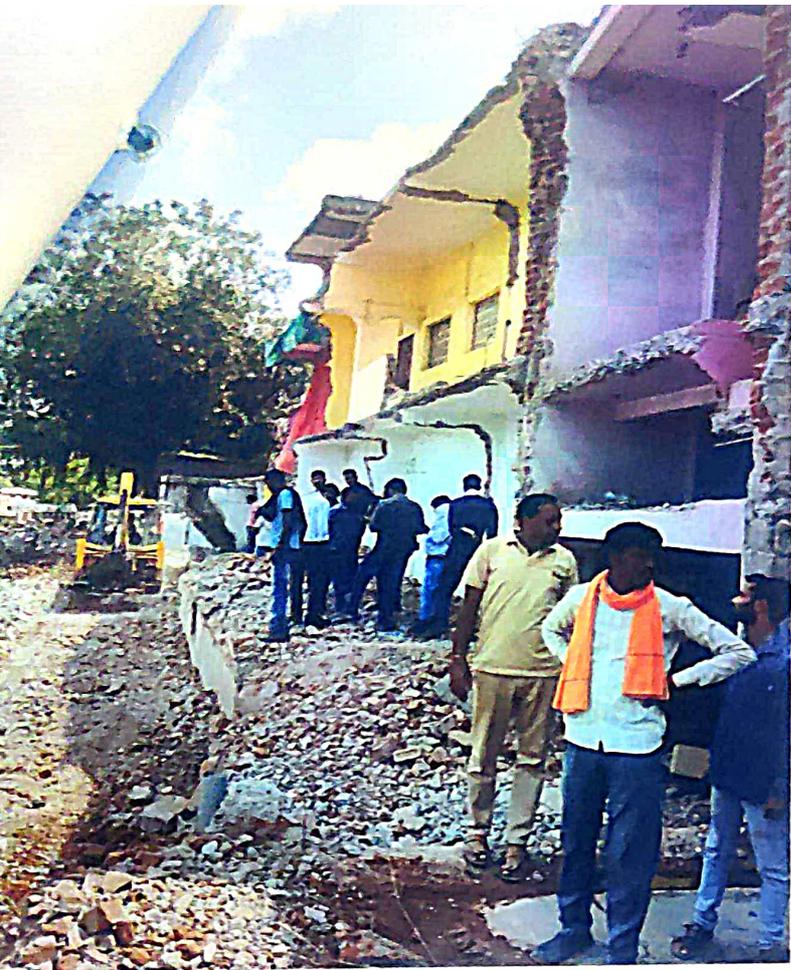
- हटाये गये अतिक्रमण की फोटोग्राफ।
- परिक्रमा मार्ग के फोटोग्राफ।
- फाउंटेन की फोटोग्राफ।
- MPUDCL की रिपोर्ट।

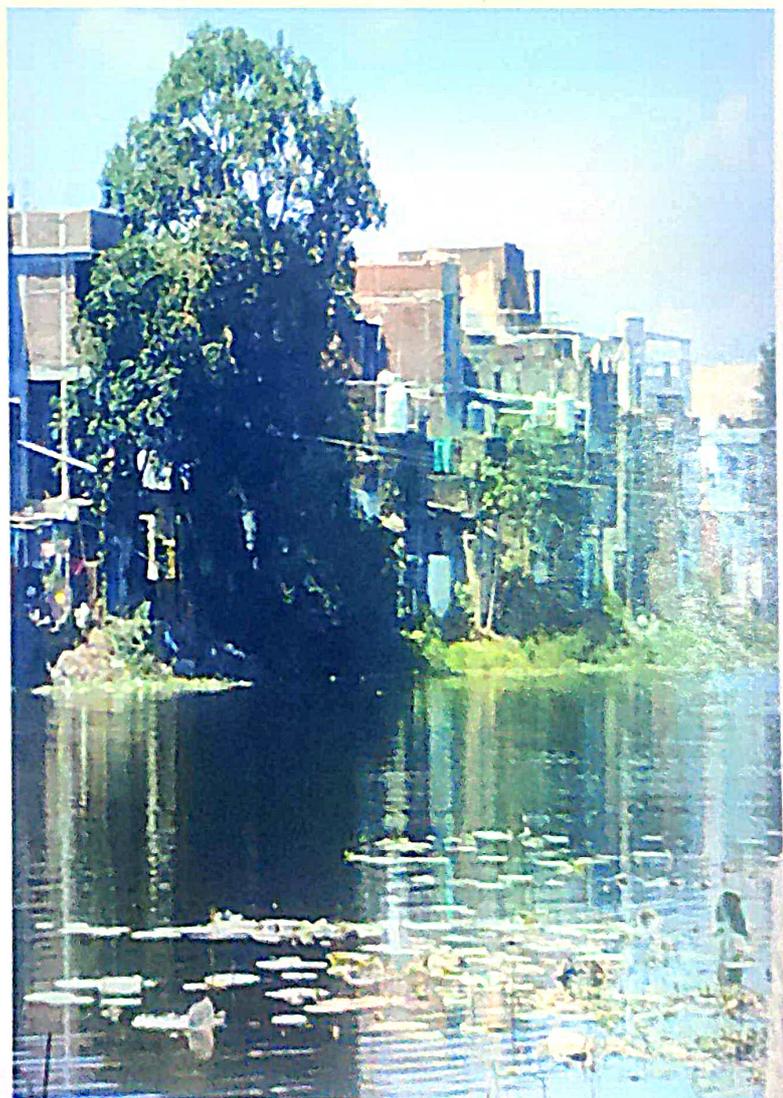
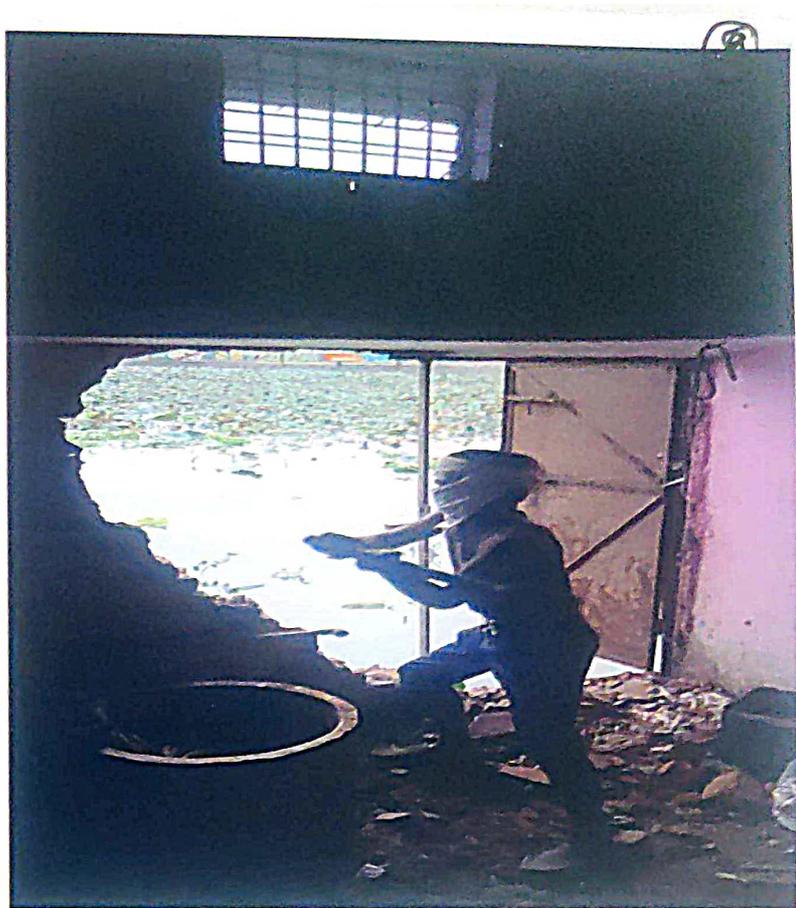
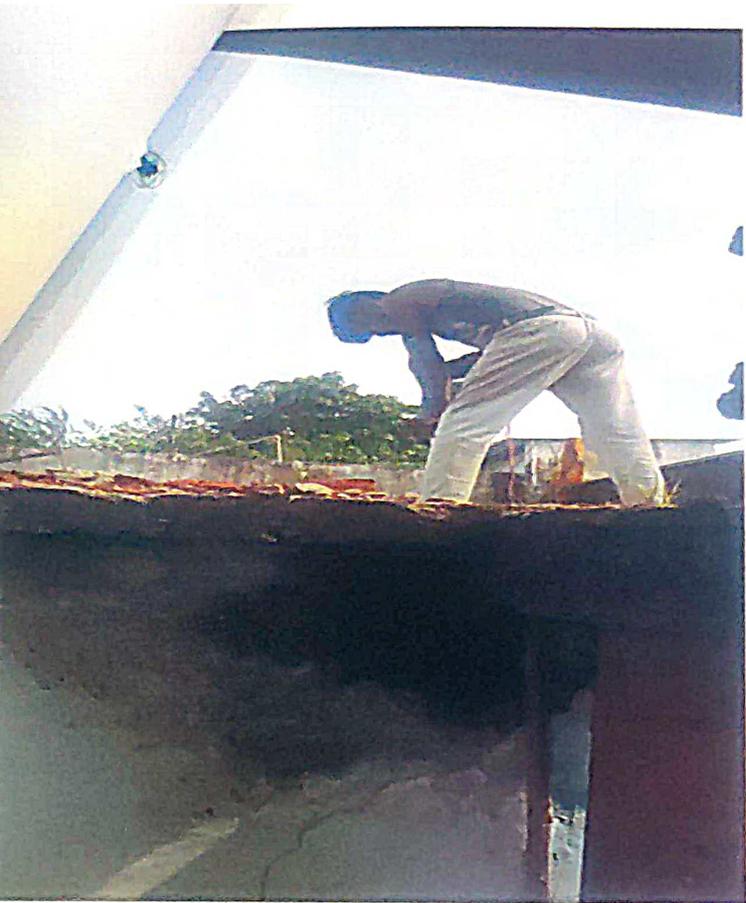
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नगर परिषद साईखेडा

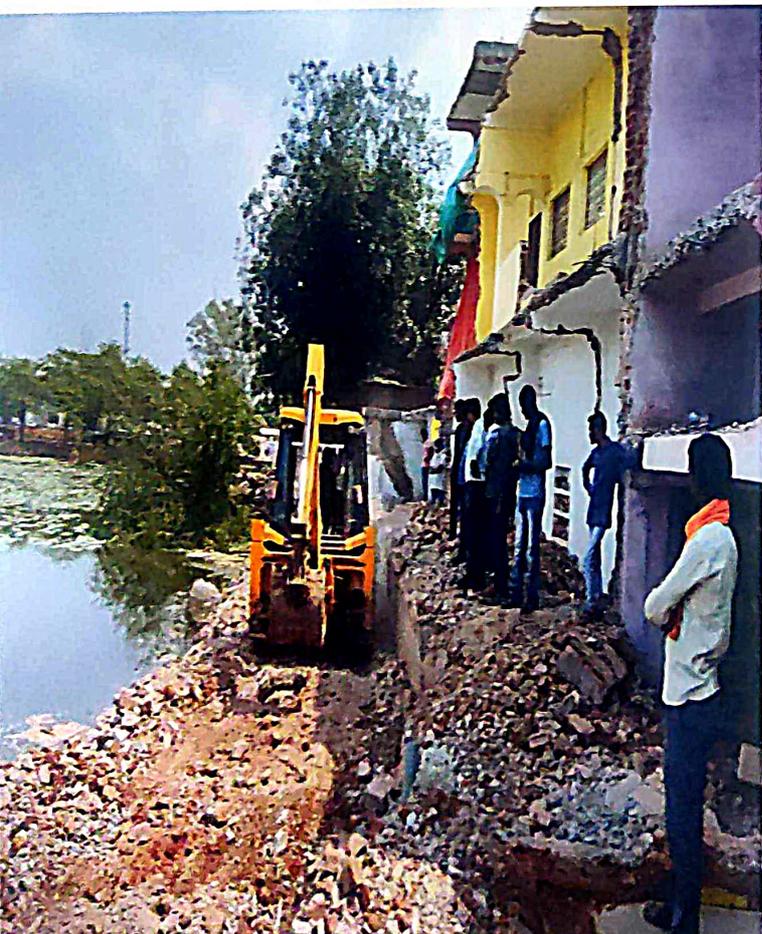
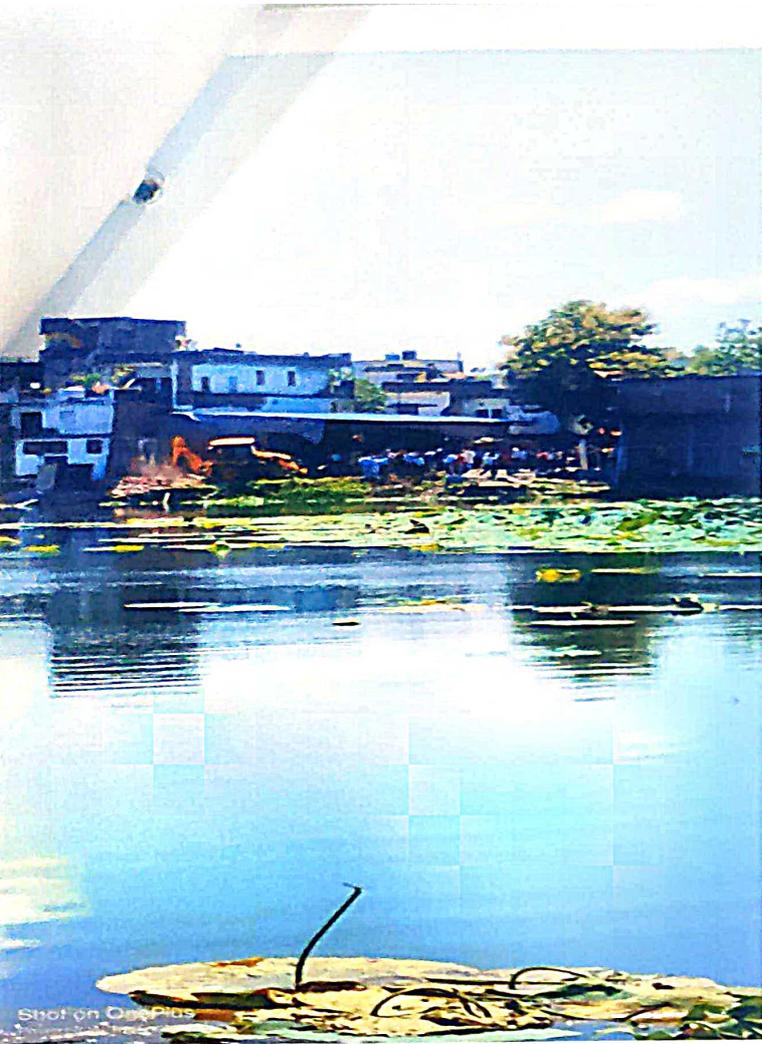






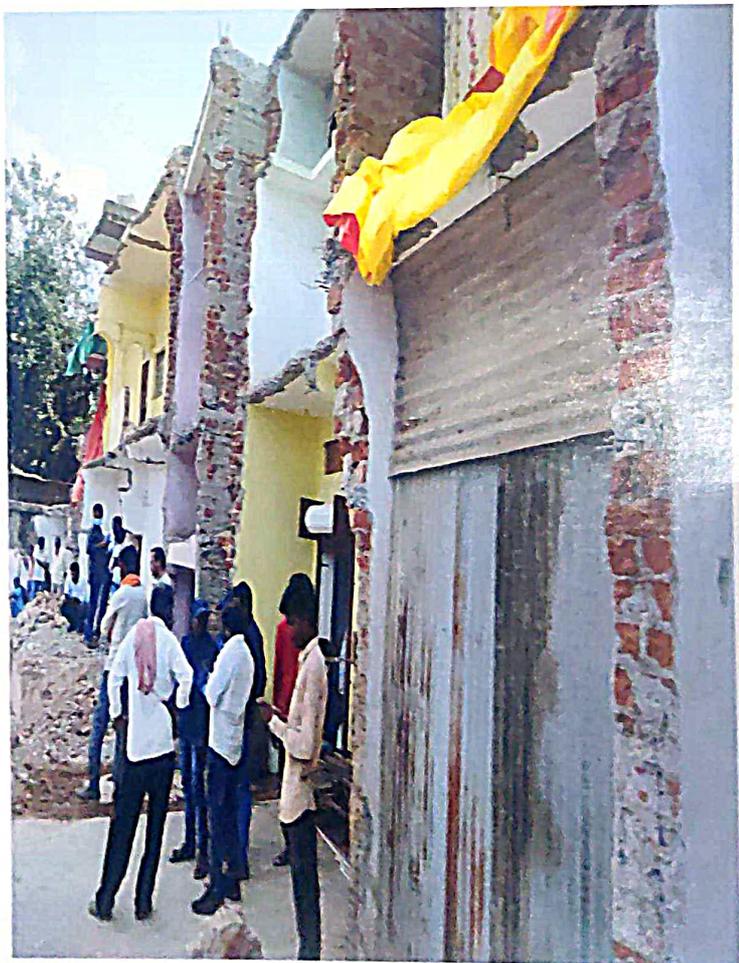
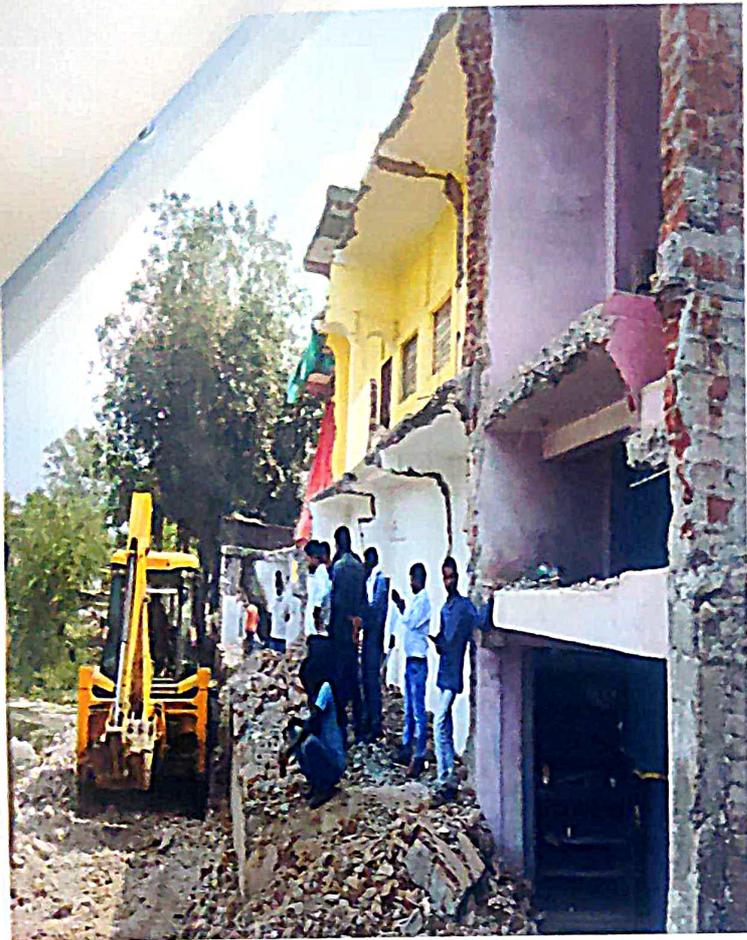


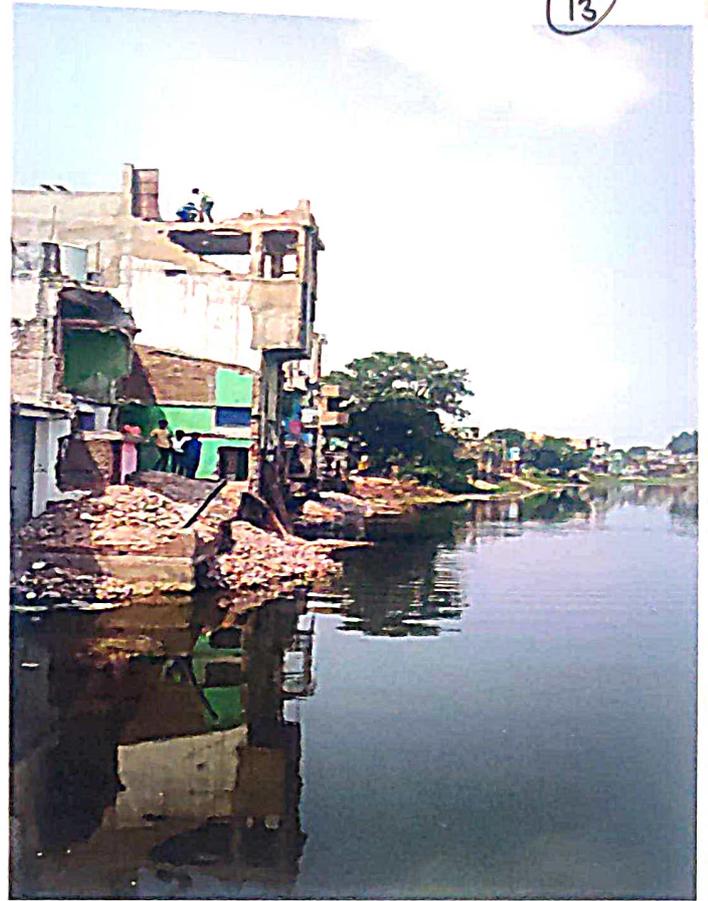




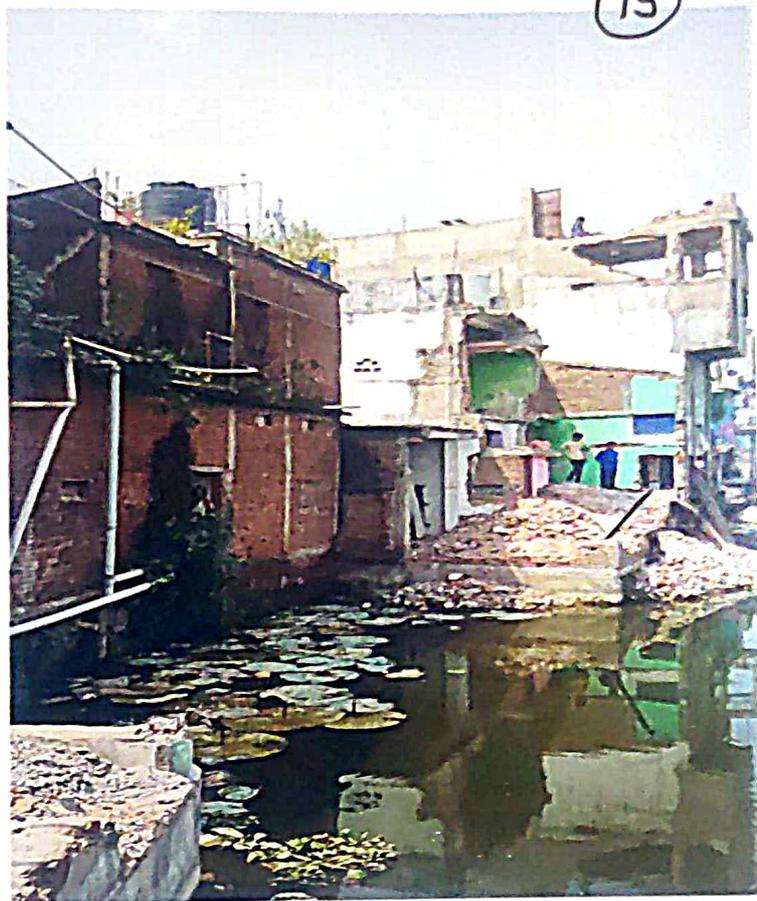
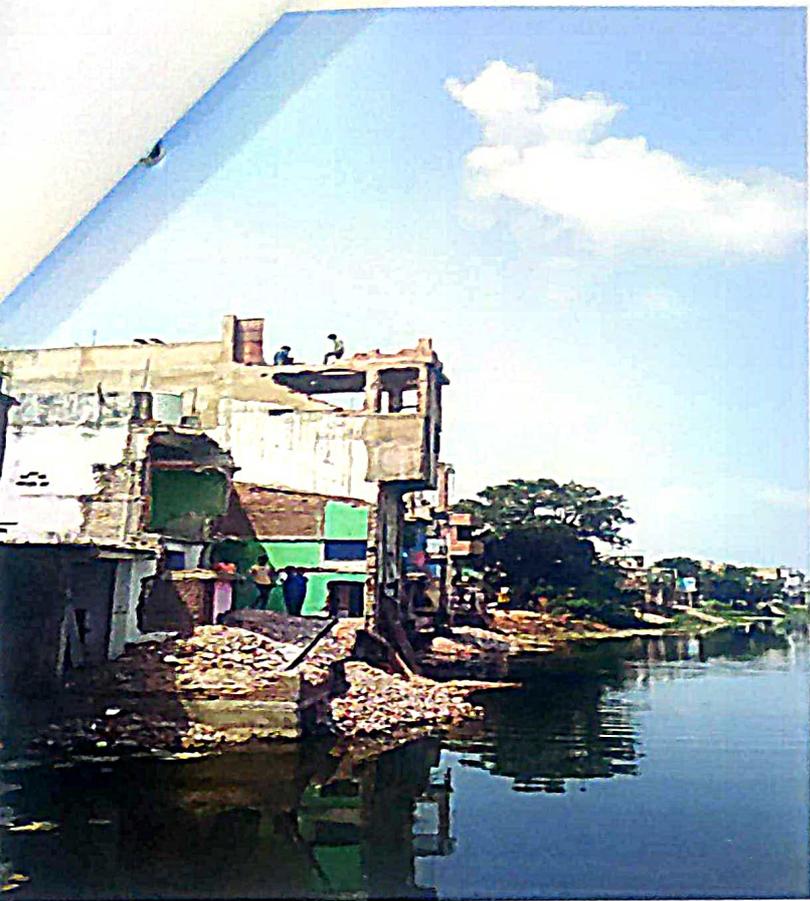
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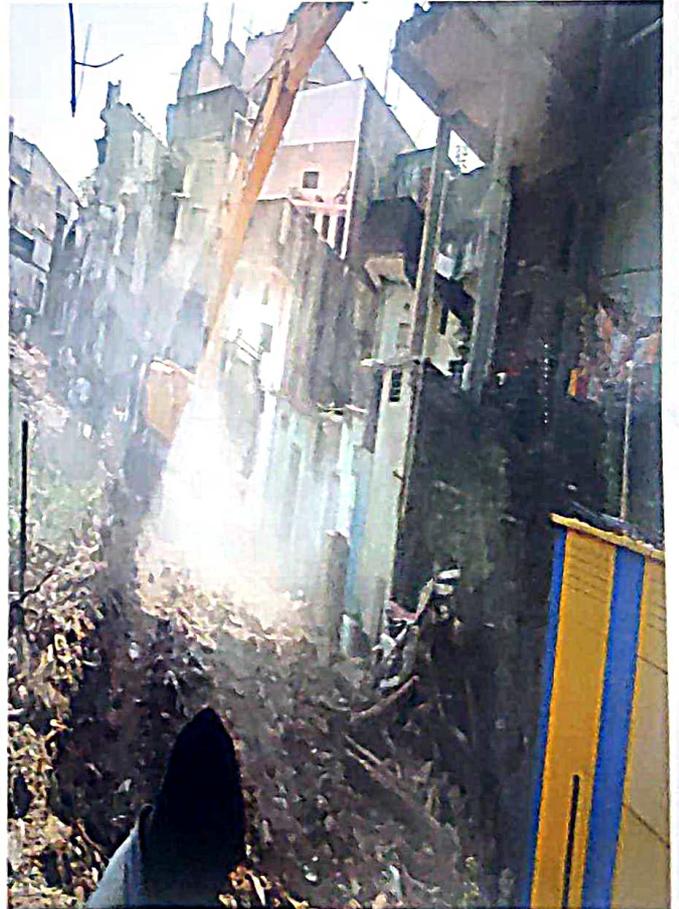
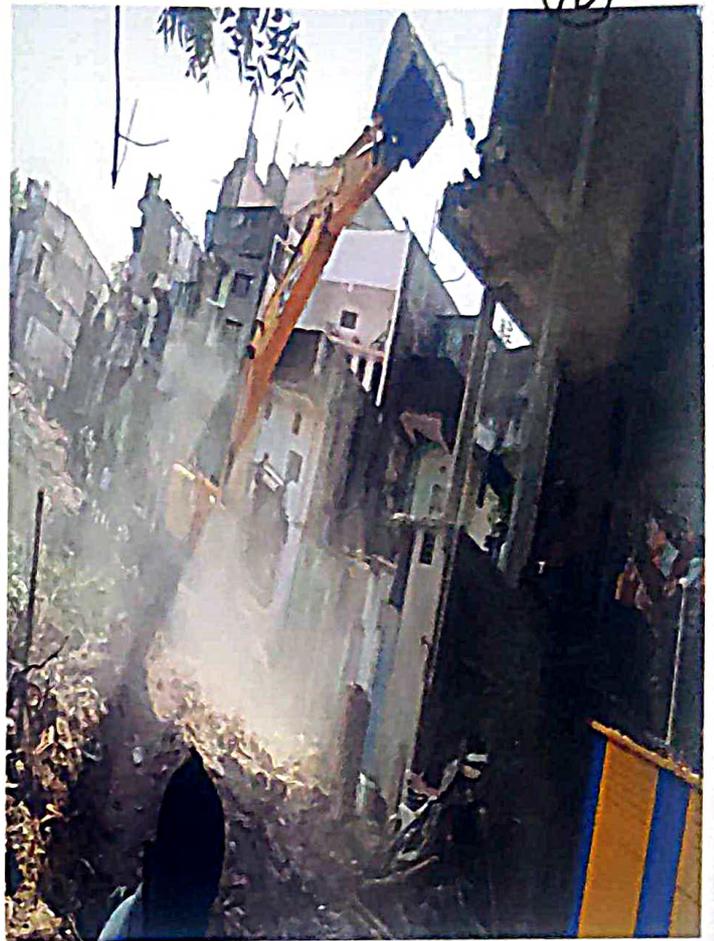




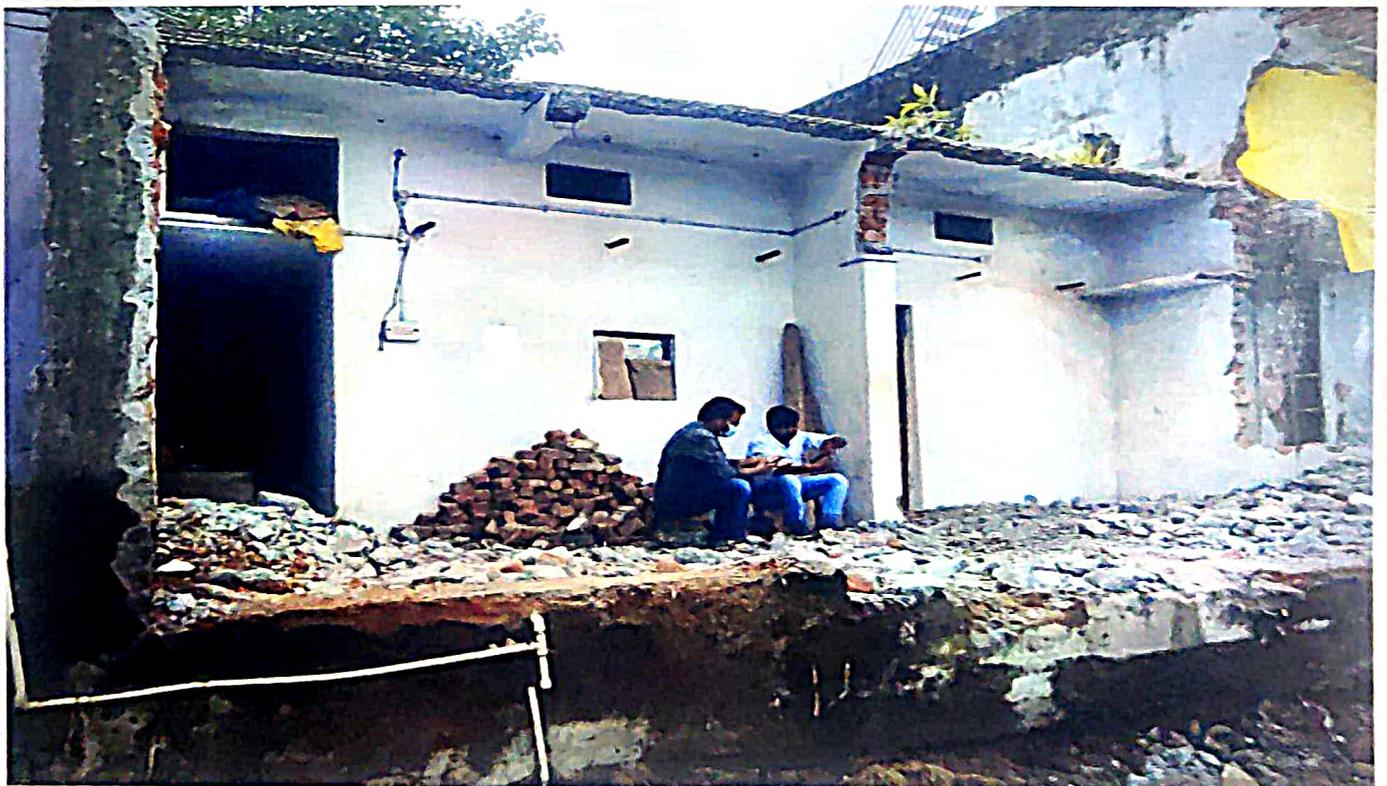


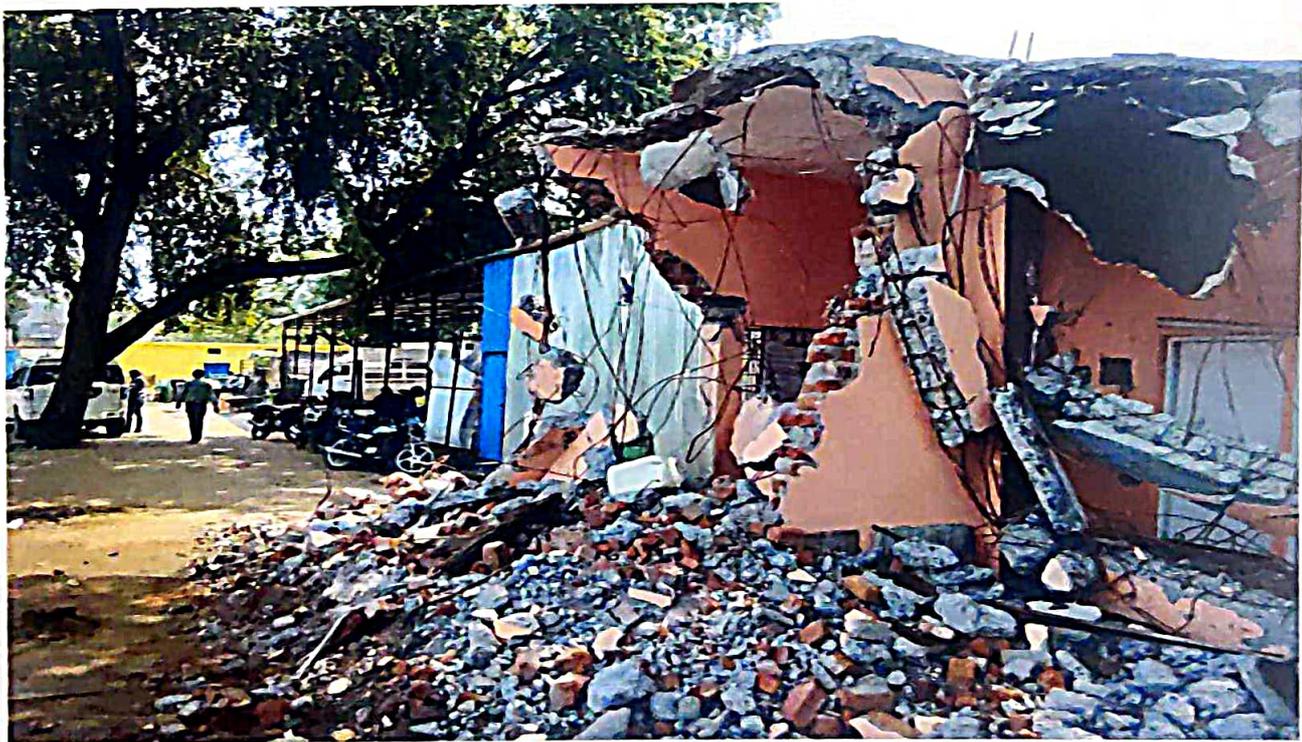
























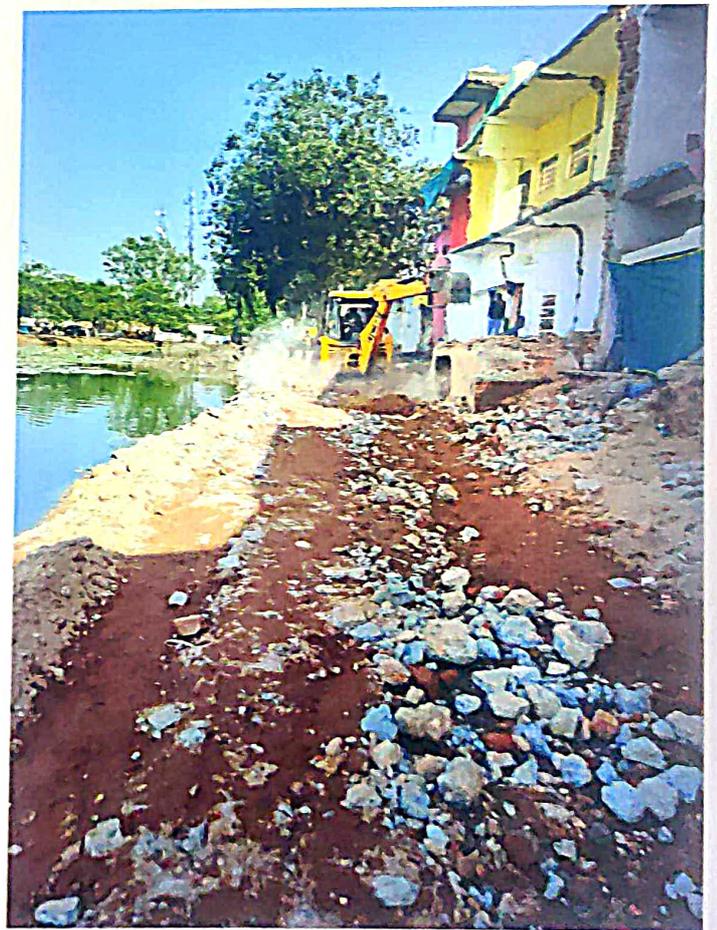
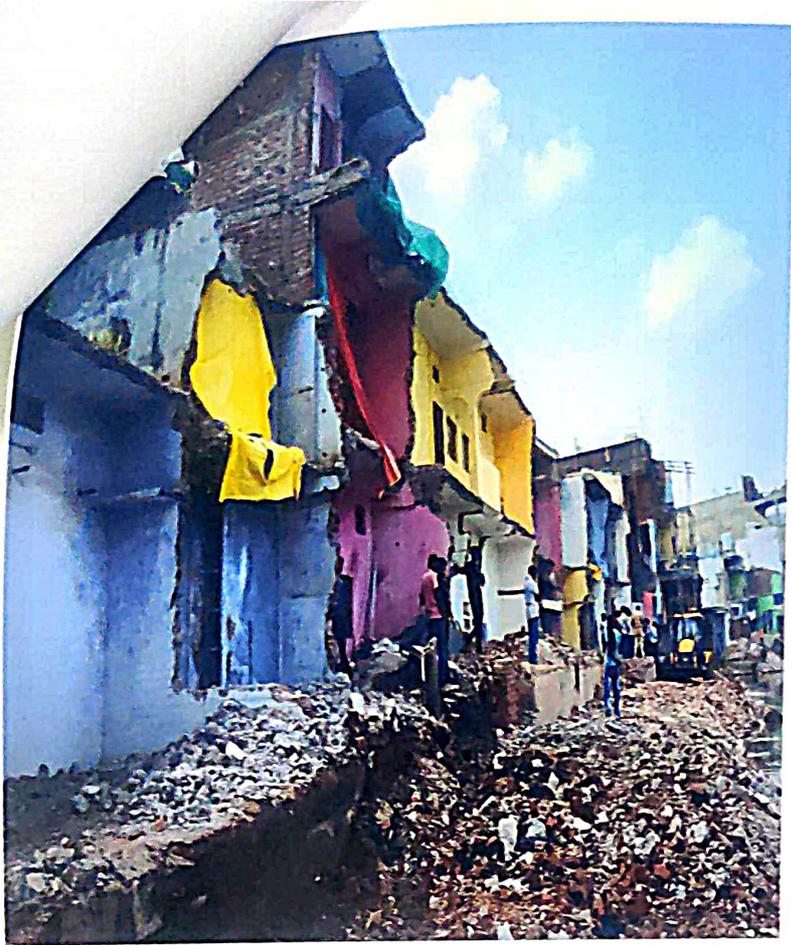


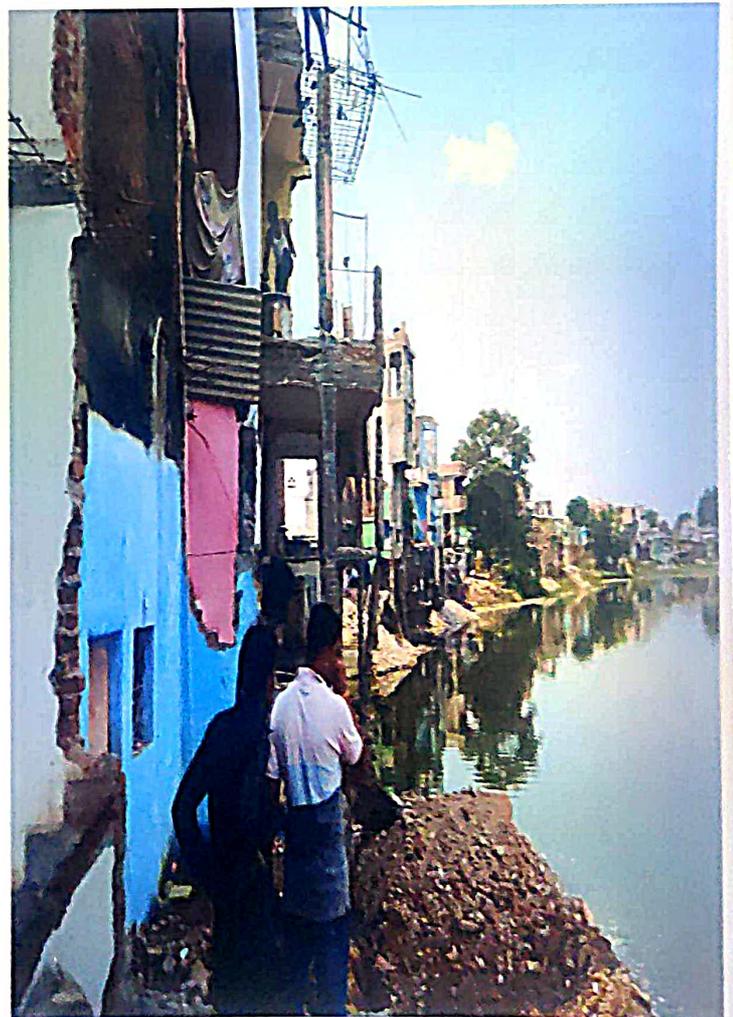
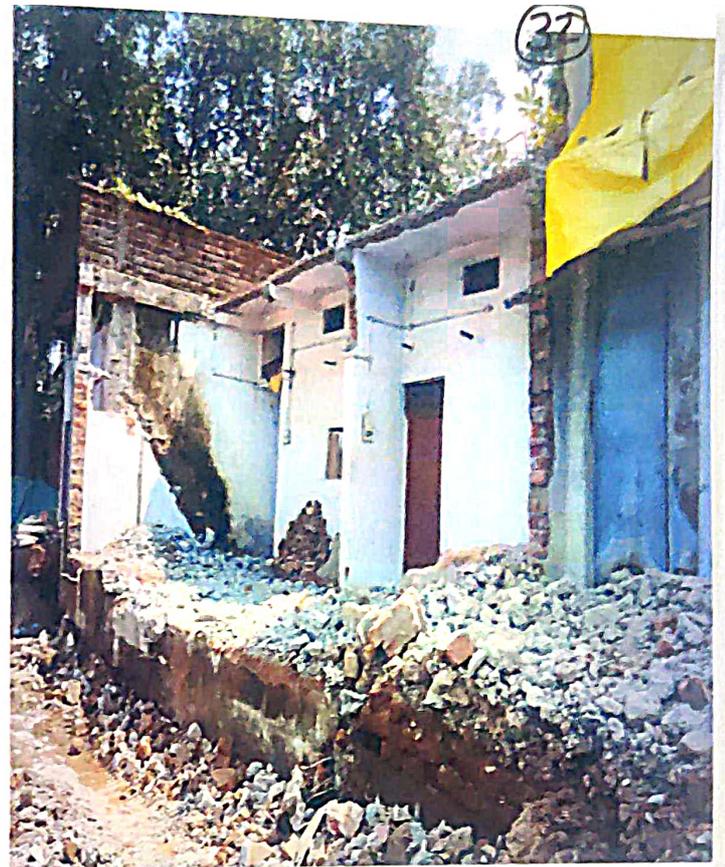
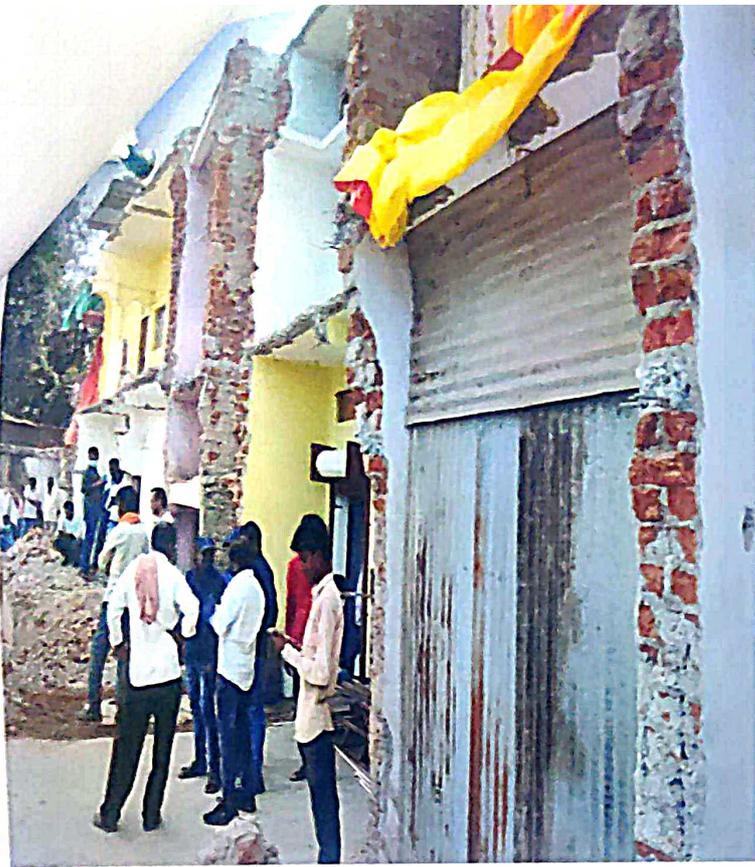


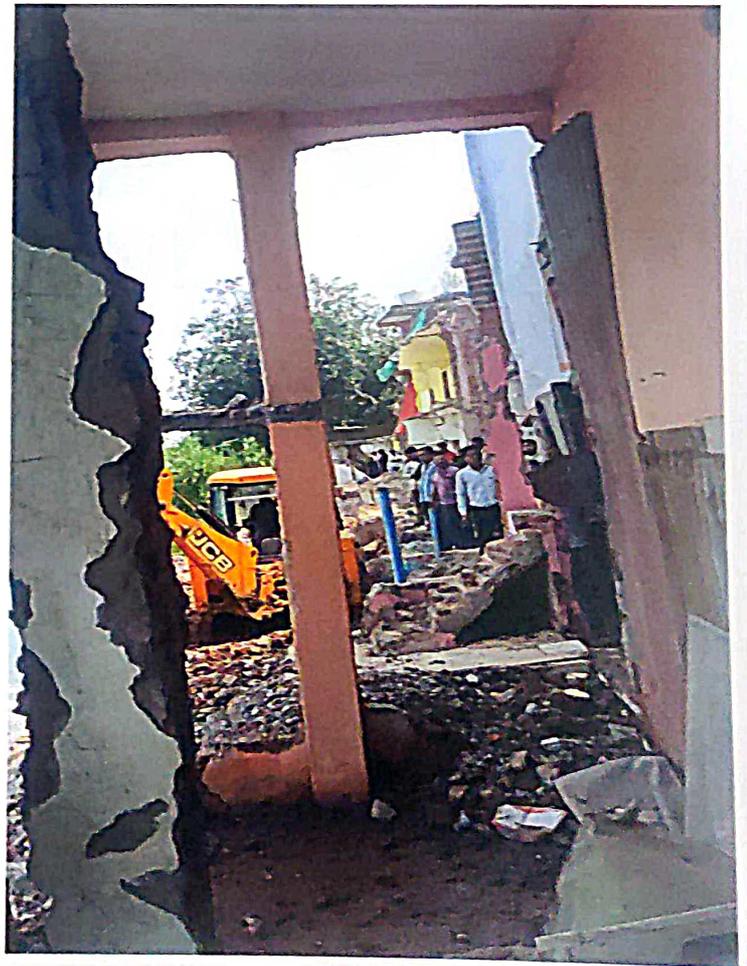
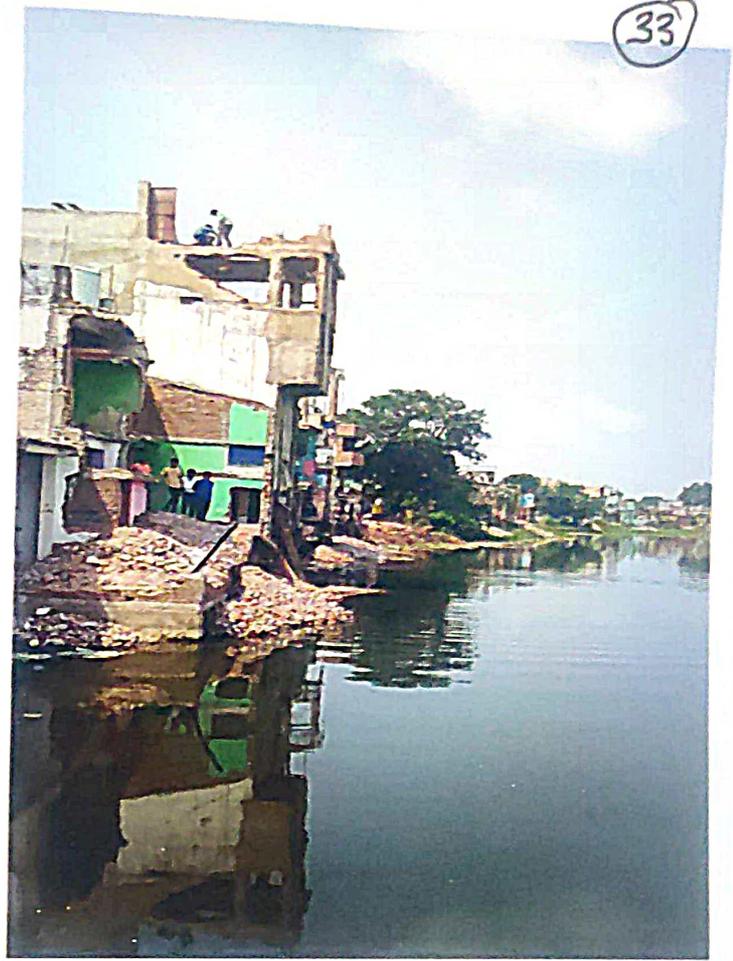


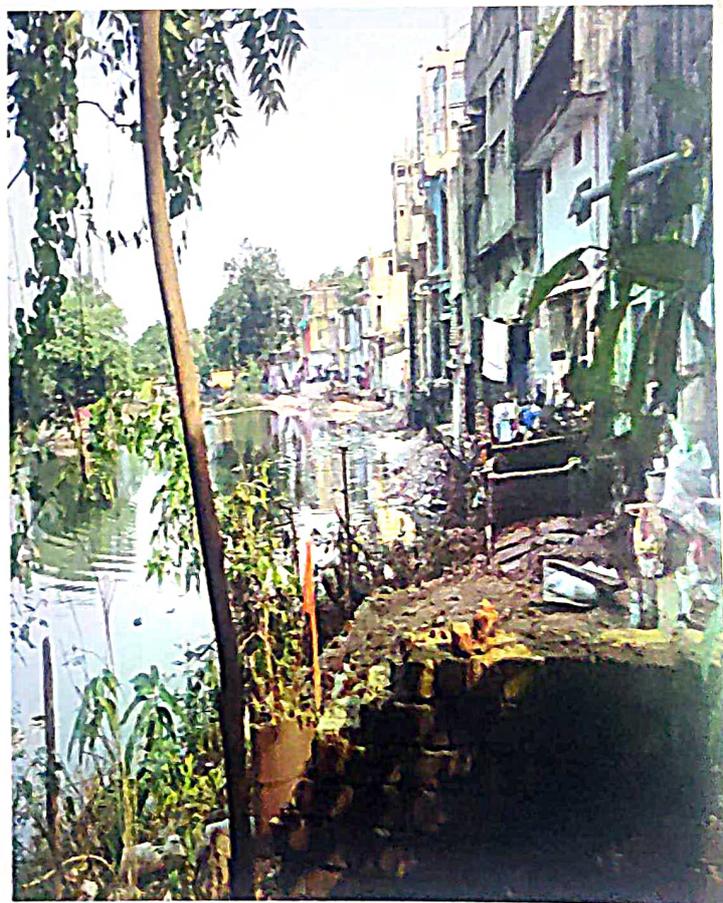
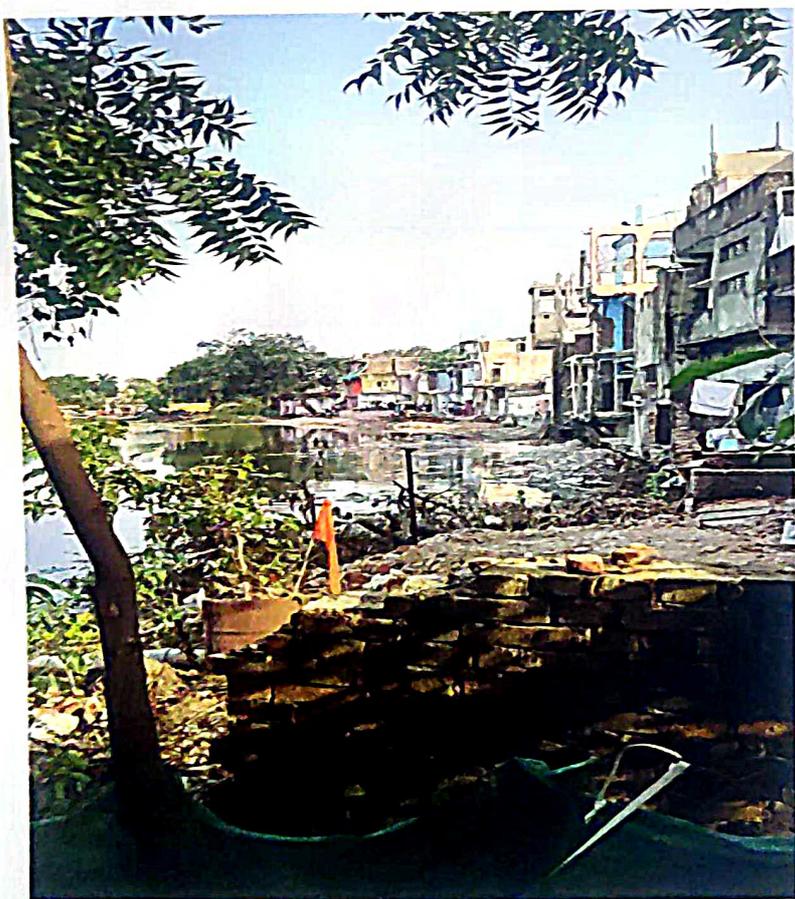
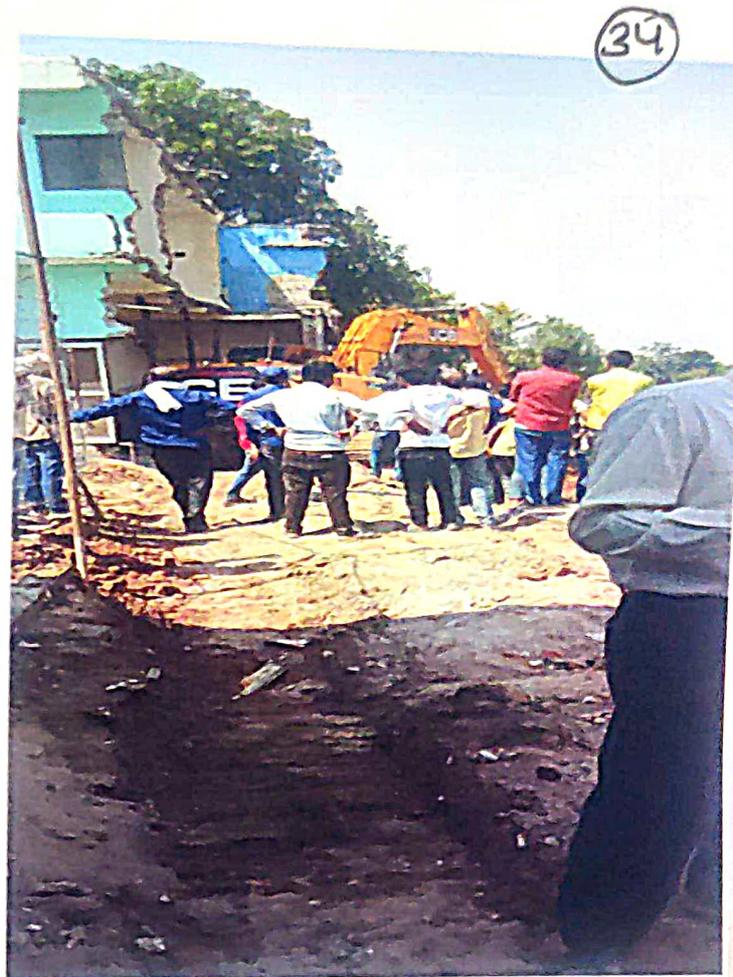


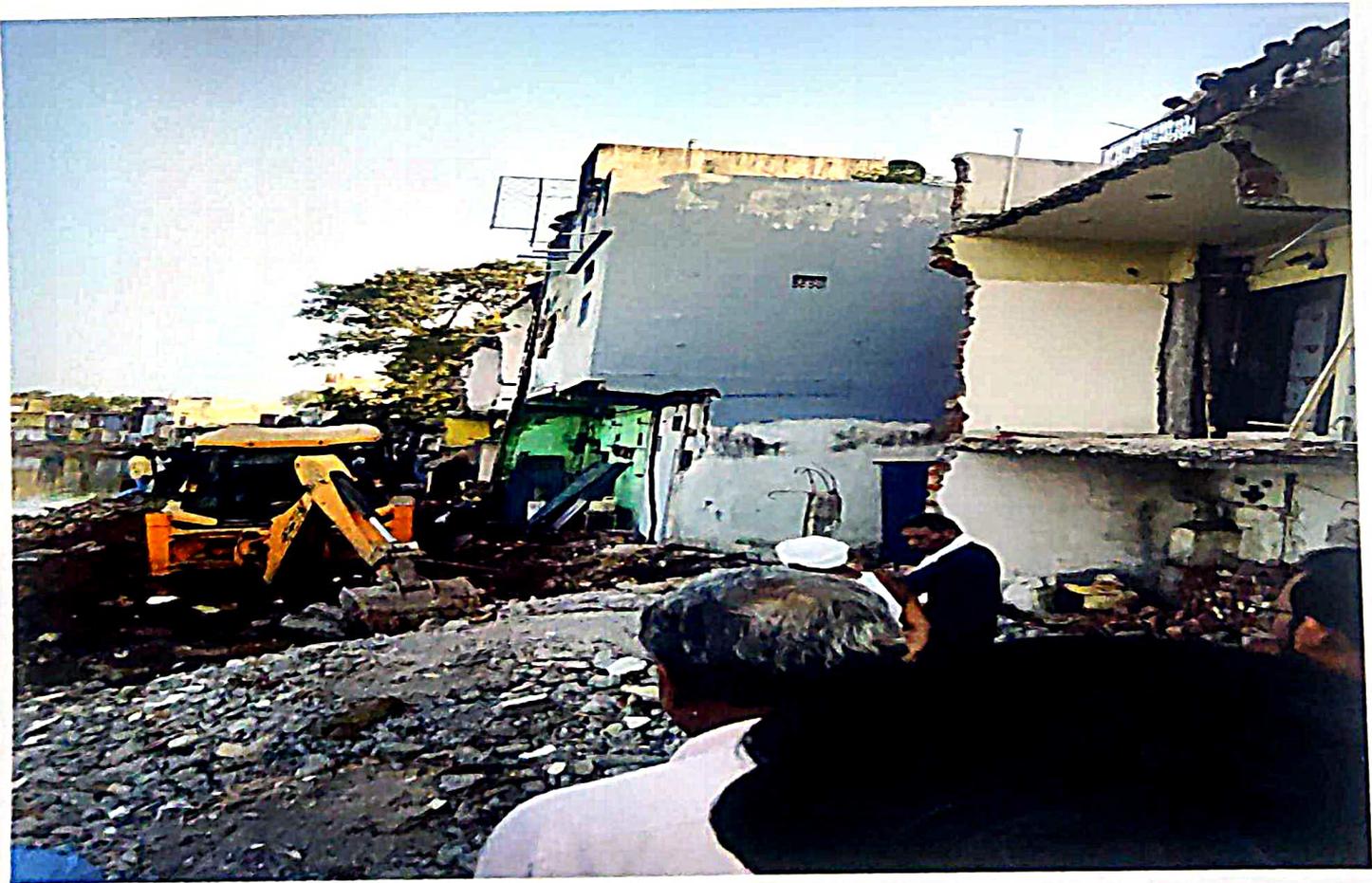




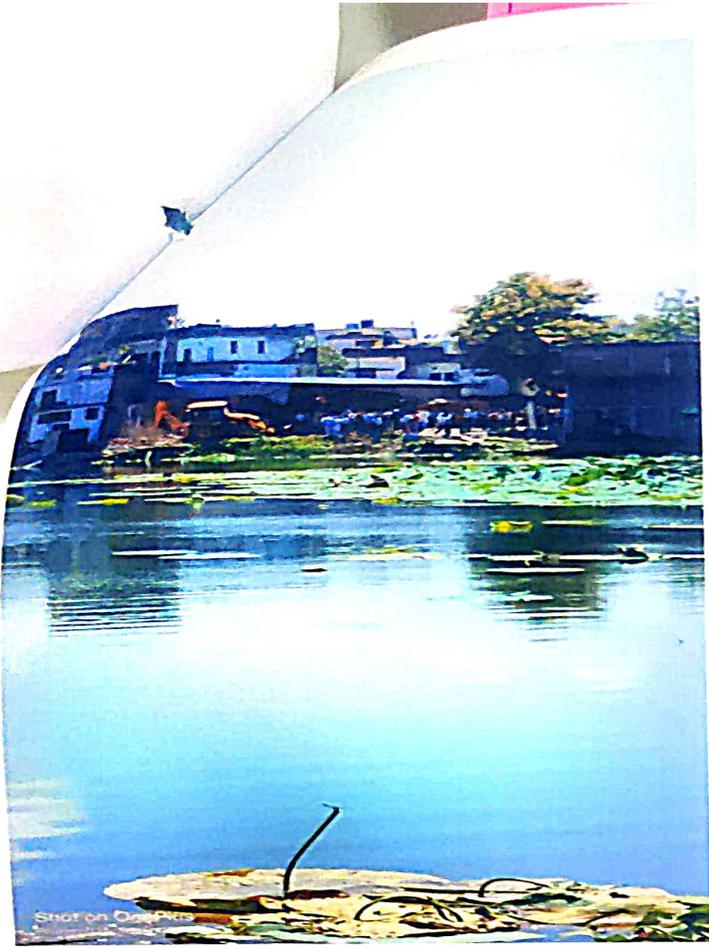


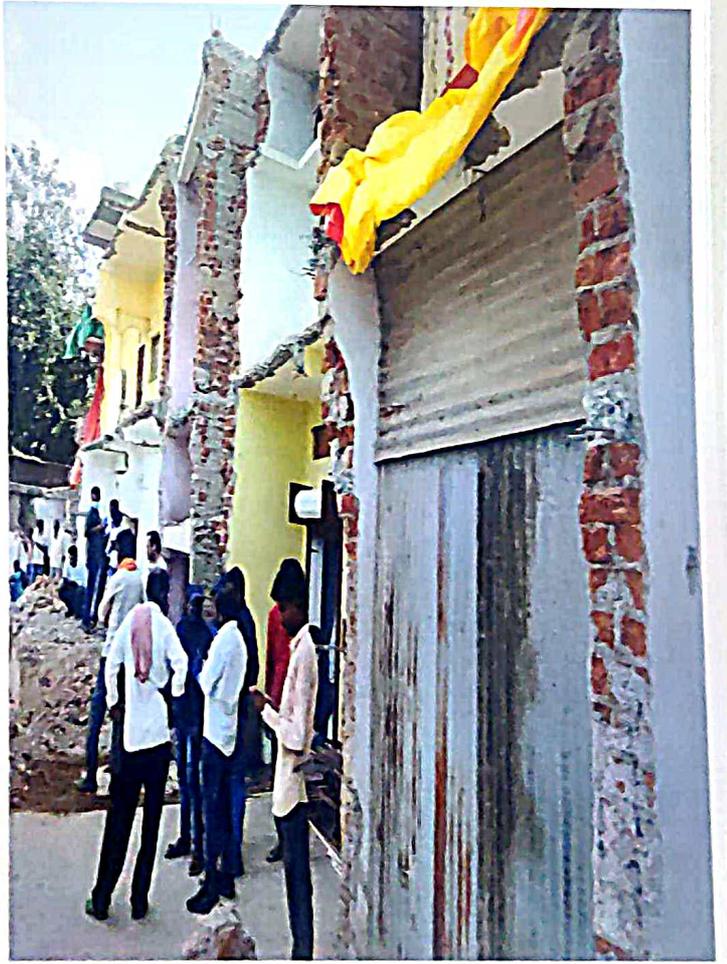
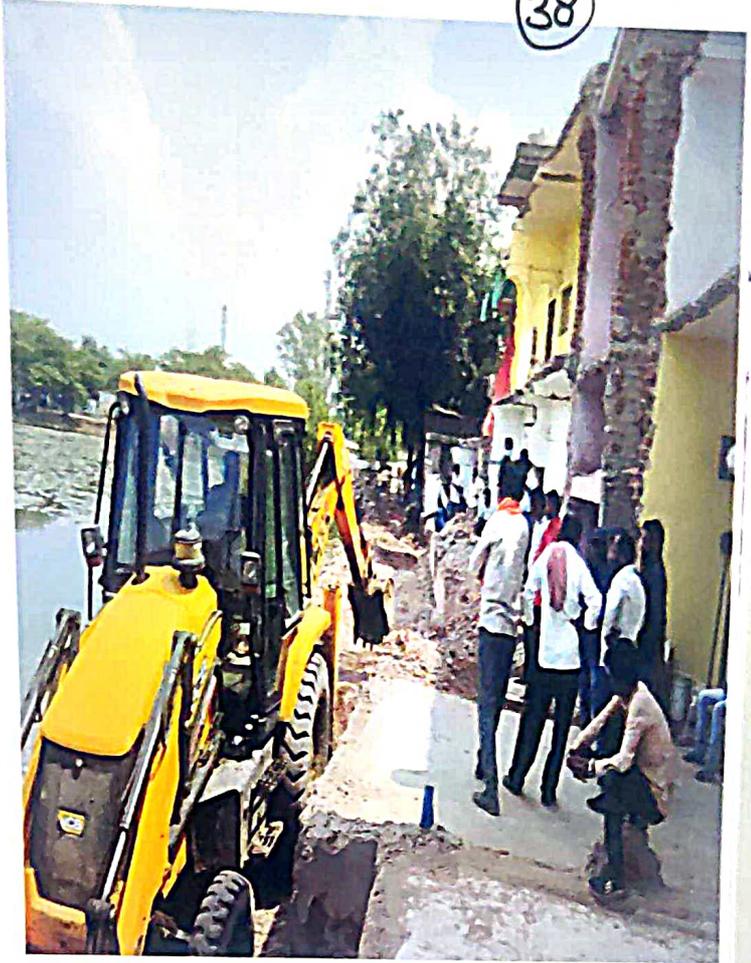
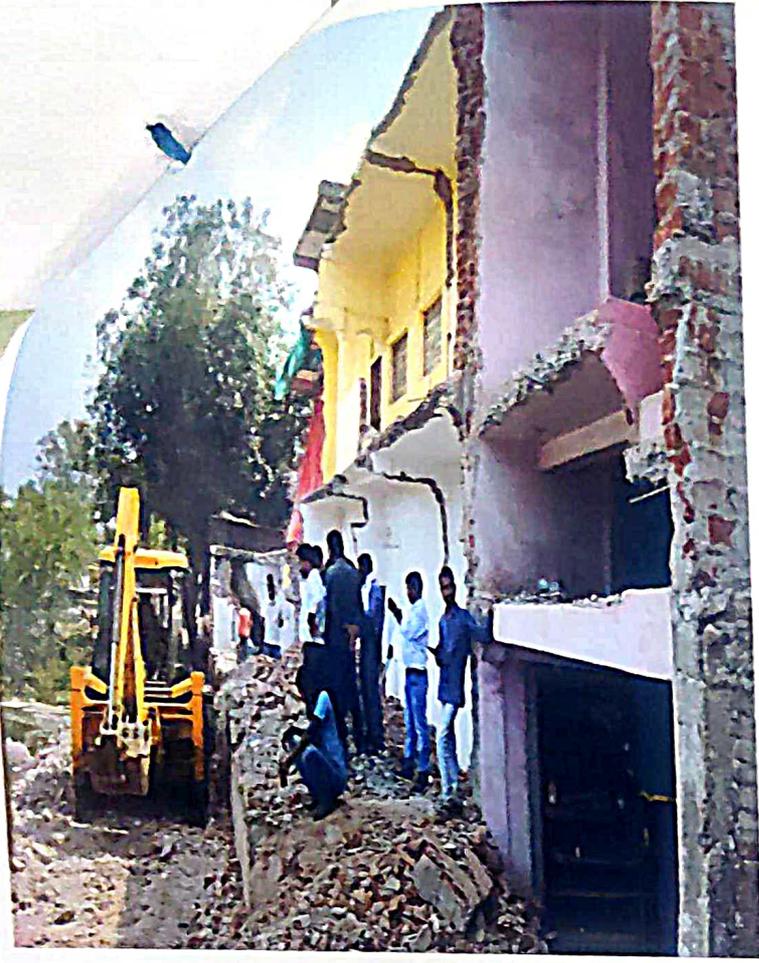


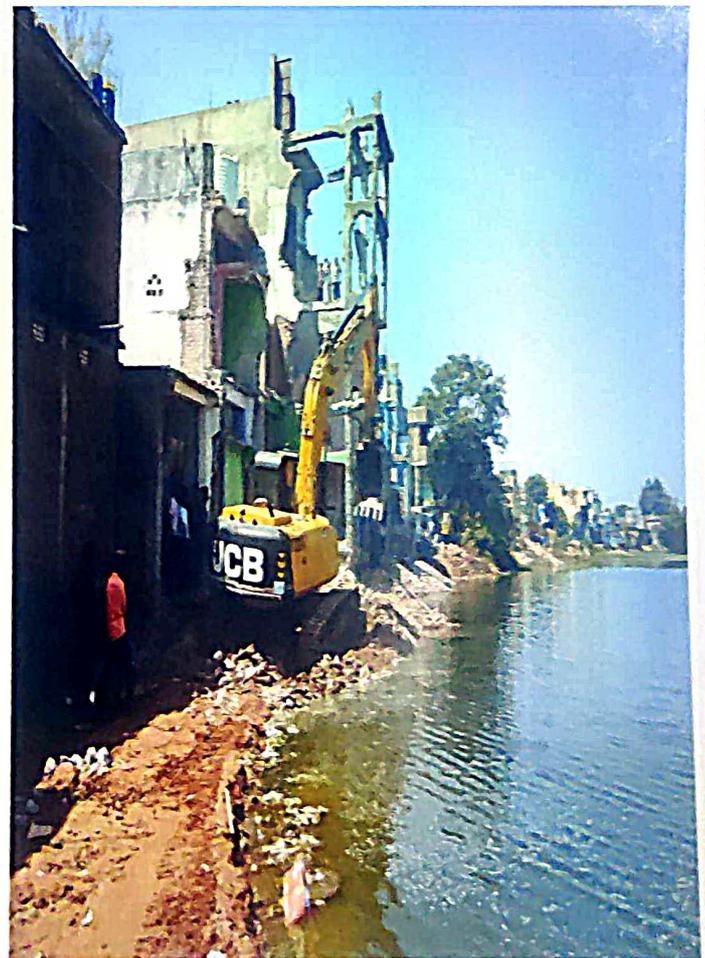
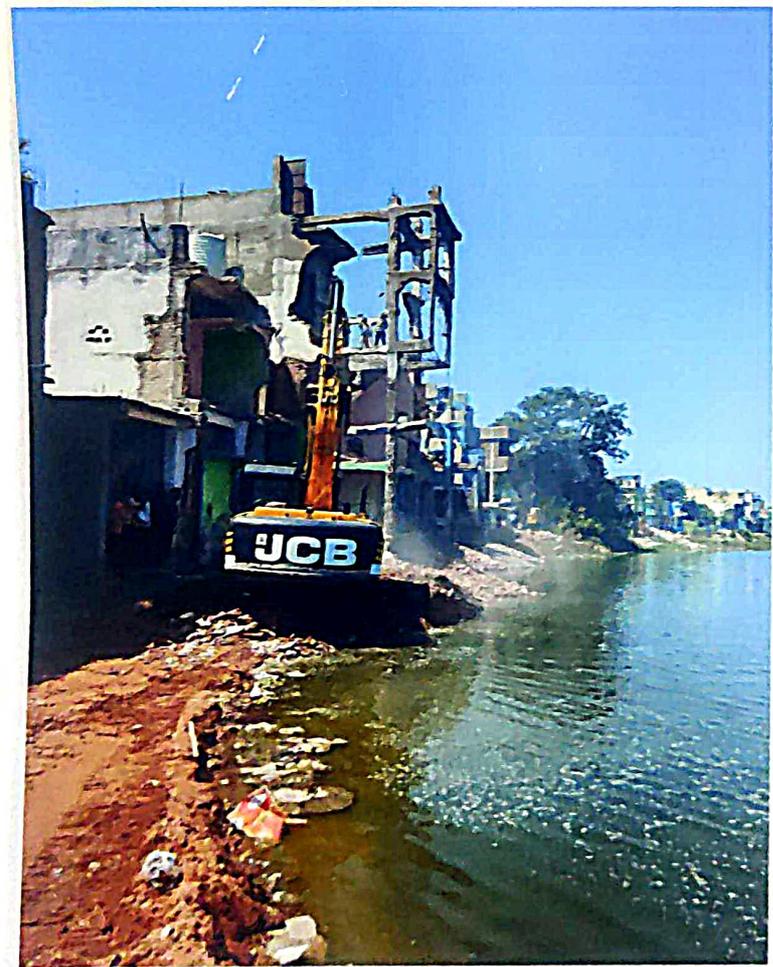
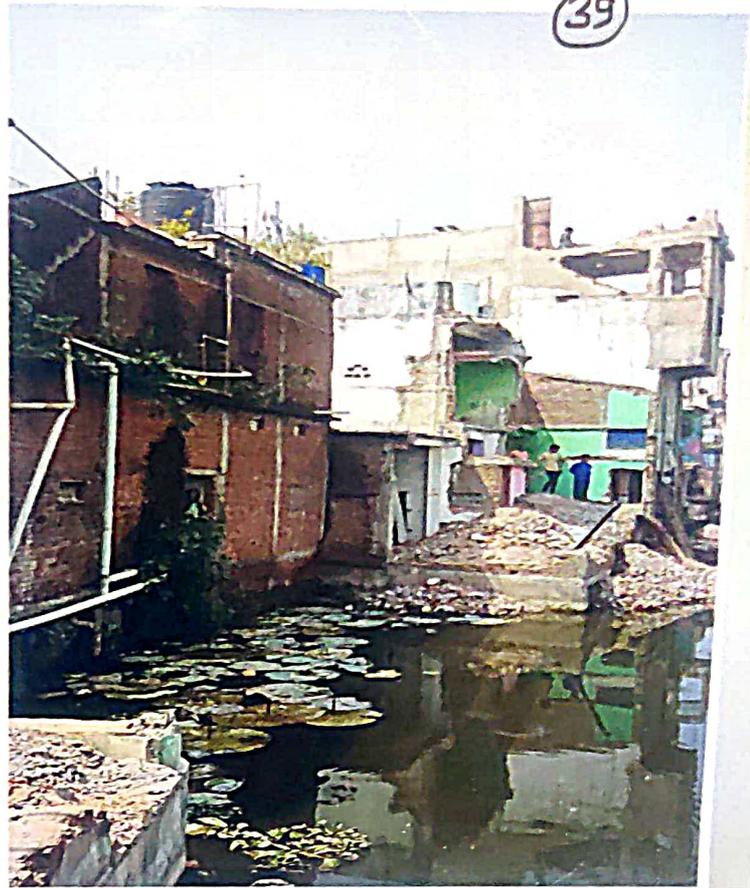
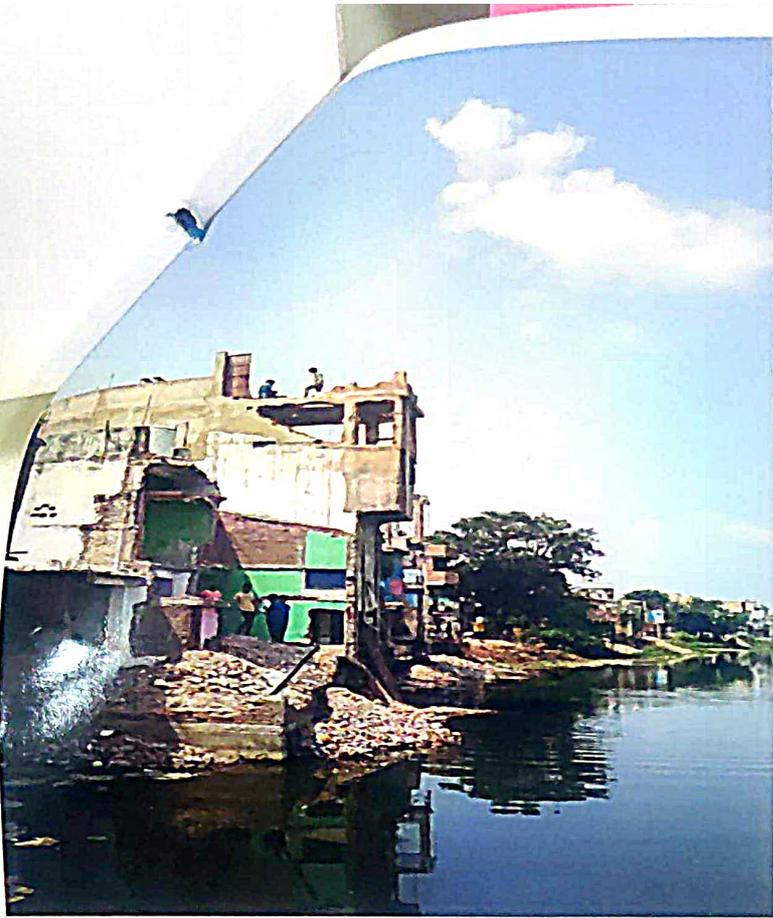




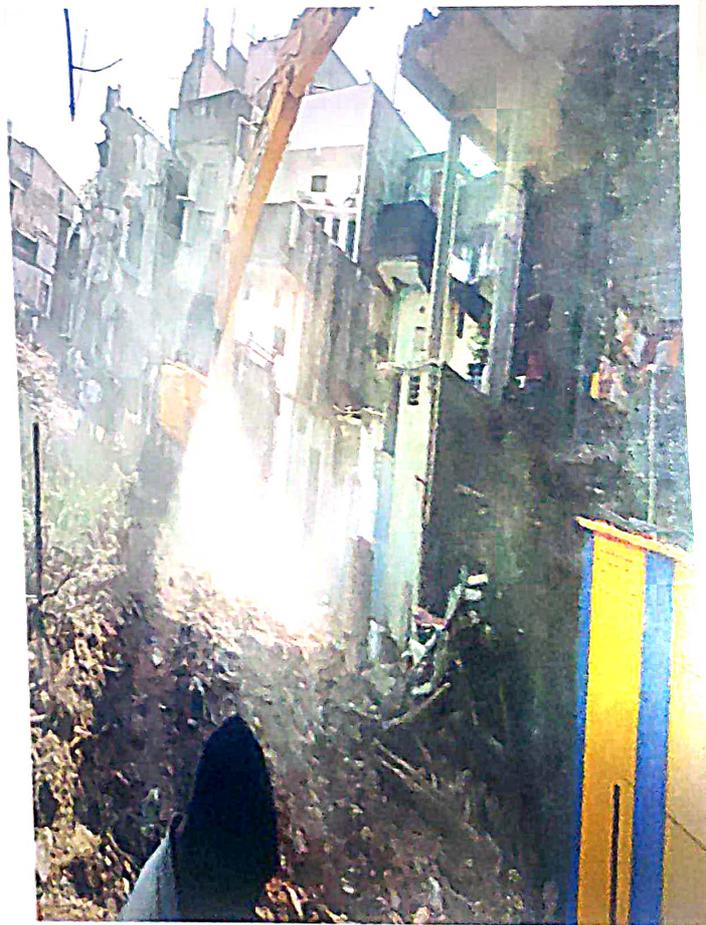








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(41)



II

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III

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ANNEXURE R-3/5

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46

Letter No. 865/MPUDCL/2023

Jabalpur, Dated: 12/10/2023

Present status of Sewerage Project at Saikheda Dist. Narsinghpur

For Construction of Sewerage project at Saikheda, MPUDC had called tender & allotted work to M/s Engineering Professional Co. Pvt. Ltd. and M/s South Gujarat Construction Co. Pvt. Ltd. (JV) Surat (Gujarat). work order given on dated 05/08/2018. At present Saikheda sewerage project physical 87% and financial progress of work is 81%.

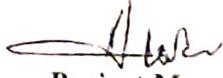
Following are the status of work at present

S.No.	Components	Total Qty.	Up to date progress
1	Sewerage Network	28.99 km	28.02 km
2	House service connection	2478	1838
3	STP (2.6 MLD)	1 Job	95% completed treatment of sewerage started on 16/09/2023. At present STP is running continuously
4	IPS	1 Job	86% completed
5	MPS	1 Job	98% completed

Overall Physical Progress	87%
Overall Financial Progress	81%

Note:-

1. At present, Sewerage Treatment Plant is working since last month and is running continuously.
2. Approx. 10 wards area sewerage water is being collected and treated in STP.
3. At pond area of Saikheda, houses were connected with sewerage network, but after removal of encroachment toilets of houses were damaged. At present no sewer is directly coming to words pond.


Project Manager
PIU (MPUDCL), Jabalpur

ANNEXURE -3/7

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1
IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 976 of 2023

(MUNICIPAL COUNCIL SAIKHEDA DISTRICT NARSINGHPUR Vs UNION OF INDIA AND OTHERS)

Dated : 05-10-2023

Shri V.S. Choudhary - Advocate for petitioner.

Shri S.K. Shukla - Advocate for respondent No.1.

Shri Amit Seth - Deputy Advocate General for respondent No.2.

Shri Shubham Machani - Advocate for respondent No.4.

Petitioner's counsel submits that no show cause notice has been issued to the petitioner.

Respondents to produce records with regard to the same.

In the interregnum, stay of impugned orders dated 24.12.2021 (Annexure P-4) and order dated 13.05.2022 (Annexure P-5) passed by respondent No.4 till next date.

Call after four weeks

(RAVI MALIMATH)
CHIEF JUSTICE

(VISHAL MISHRA)
JUDGE

MSP

Digitally signed by
MANVENDRA SINGH PARIHAR
Date: 2023.10.06 14:52:36
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